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Remarks/Arguments

Claims 1-19 are pending. Claims 1-2, 7, 9, 11, 14-17, and 19 have been amended to more clearly and distinctly claim the subject matter that applicant regards as the invention. No new matter is believed to be added by the present amendment.

Claims 1-19 stand rejected and claim 7 is objected to for an informality.

With regard to the objection to claim 7, the recited "Internet application" should have been the "predetermined software application," which refers back to claim 1. Claims 7 and 9 have been amended to clarify this feature. It is respectfully requested the claim objection be withdrawn.

Objection to claim 2 under 35 USC 112, second paragraph as being indefinite

Applicant submits that the objection to claim 2 should be withdrawn as claim 2 has been amended herein to clarify the subject matter.

Rejection of claims 17-19 under 35 USC 101 as being directed to non-statutory subject matter.

Applicant has clarified claim 17 and defined the software product as embodied in a computer readable medium. Thus functional descriptive material is recorded on some computer-readable medium which is considered statutory subject matter, therefore applicant respectfully submits that the rejection under 35 USC 101 should be withdrawn.

Rejection of claims 1-10, 12-14, and 16-19 under 35 USC 103(a) as being unpatentable over Ullman et al. (US Pat No 6,018,768, hereinafter Ullman) in view of Kato (US Pat No 7,058,129).

Applicant submits that, for at least the reasons discussed below, claims 1-10, 12-14, and 16-19 are patentably distinguishable over the teachings of Ullman in view of Kato. In particular, applicant submits that even if Ullman and Kato are combined as suggested by the Office Action, the resulting combination still fails to teach or suggest each and every limitation of claims 1 and 16.

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Ullman discloses a system for receiving a television program on a digital program channel with URLs encoded in the digital program channel. The URLs are decoded and retrieved and can be presented to the user synchronized with particular video frames. Ullman describes the video source as being a digital program channel or a local video source.

The Office Action points to Ullman col. 10, lines 9-10 as teaching applicant's claimed feature of recording and playing digital sequences of digital-television programs. In fact, col. 10, lines 9-10 only describes that the video source may be from a local video source such as a VCR or DVD, with or without the embedded URLs. The video is then played from the local source.

While Ullman describes having a local source, there is no description anywhere in Ullman corresponding to "said processing module being suitable, moreover, in response to a positive comparison, for causing the recording of the digital sequences relating to said chosen television program as well as the initialization and marking information, in the record/replay module" as recited claim 1 (emphasis added).

Ullman fails to disclose or suggest the features of recording the program and recording the initialization and marking information. Ullman describes utilizing a recorded program but does not teach recording the program.

In addition, even assuming arguendo to Ullman teaches such a recording, applicant submits that there is no suggestion of recording with initialization and marking information. The Office Action equates Ullman's time stamps with applicant's initialization and marking information. Applicant disagrees with this assertion, and also submits that Ullman still fails to teach recording the timestamp information. Ullman simply retrieves the timestamp information and displays the retrieved web pages referenced by the URL at the time of the timestamp information (col. 8, lines 22-26).

While the Office Action also points to Kato to teach the initialization and marking information, Kato, likewise fails to teach recording any initialization and marking information.

Kato describes a recording and decoding method for enabling skipping reproduction. Kato discloses an AV program recorded on an optical disk, and in col. 9, line 61 to col. 10, line 22 describes that playback of a series of programs

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occurs from pre-set start points and pre-set end points. Kato discloses at col. 11, lines 14-17 that the starting point and the termination point are entered into the operating input unit 11. As indicated in col. 9, lines 42-44, the operating input unit 11 is fed with information from the user. The Office Action points to col. 11, lines 36-42, however, this section does not provide any description of the claimed features, Kato simply fails to disclose a processing module suitable for receiving initialization and marking information relating at least to the start and to the end of a chosen television program.

Therefore, the suggested combination of references fails to teach or suggest the recited feature of a processing module, in response to a positive comparison, causing the recording of the digital sequences relating to a chosen television program as well as the initialization and marking information.

In addition, claim 1 includes: "a supplementary processing module able to run a predetermined <u>software application</u> further <u>containing said initialization and marking information</u>, the software application being run in synchronism and in interactive mode with the playing of the digital-television program thus recorded with the aid of said initialization and marking information."

The suggested combination of references fails to teach or suggest this feature. The Office Action points to Ullman, which discloses URLs encoded in the digital program channel. The URLs are decoded and retrieved and can be presented to the user synchronized with the particular video frames. While the presentation of the retrieved URL locations may be synchronized with the program playback, there is no suggestion that the objects of the URL retrievals contain the initialization and marking information, nor that a software application contains the initialization and marking information.

Therefore, the combination of references fails to teach or suggest the supplemental processing module and again the rejection should be withdrawn.

Each of the independent claims 1, 16 and 17 and their respective dependent claims include at least some of the distinguishing features discussed above. Thus, the rejection of each of the claims should be withdrawn for at least the foregoing reasons.

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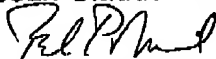Customer No. 24498

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Rejection of claims 1, 2, 10, 11 and 15 under 35 USC 103(a) as being unpatentable over Ullman in view of Kato, and further in view of Ellis et al. (US Pat. No. 6,665,869, hereinafter Ellis).

It is believed this rejection was only directed to claims 11 and 15 since Ellis provides no further teaching with regard to the features of claims 1, 2, and 10, nor does the Office Action provide any details of how Ellis applies to claims 1, 2 and 10.

Because claims 11 and 15 include at least the features discussed above with respect to claim 1, the independent claim from each ultimately depends, the rejection should likewise be withdrawn since Ellis fail to teach any of the features lacking in the combination of Ullman in view of Kato.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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Date: 3/27/07

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